

Historic Downtown Wilmington Marketplace Vendor Application

Thank you for your interest in becoming a vendor of the Historic Downtown Wilmington Marketplace "Market" located at the corner of 2nd and Market streets. The City is now accepting applications for the 2011 season. The following procedures and rules apply to the application process and Market.

Please read carefully and follow the steps below:

- **Read the Rules of the Market.**
- **Fill out the application form completely. Incomplete applications will not be considered.**
- **Submit your application to: Kim Adams, Downtown Services, City of Wilmington, 305 Chestnut Street, Wilmington, NC 28402 or email to: kim.adams@wilmingtonnc.gov**
- **Call 845-674-0848 if you have questions or need more information.**
- **Applications must be received by March 30, 2011**

Vendor Name _____ Title _____

Operator Name _____

Type of Entity (e.g. corporation, proprietorship, limited-liability company) _____

Mailing Address _____

Telephone Number (including area code) _____

E-mail Address _____

Please circle the Sunday Marketplace dates for which you are applying: (Sunday, April 17 is the Grand Opening)

April 17 24	July 3 4 10 17 24 31	October 2 9 16 23 30
May 1 8 15 22 29 30	August 7 14 21 28	November 6 13 20 27
June 5 12 19 26	September 4 5 11 18 25	December 4 11 18

Product Categories

Describe what you intend to sell at the Market. Permitted items are limited to handmade arts and crafts and other items of excellent handmade workmanship and SENC farm produce. See Rules of the Market for more details.

FEES: Guest Vendors (non-City of Wilmington permit holders)	\$22.00 per Market Day
Valid City of Wilmington Permit-holders	\$10.00 per Market Day

HOLD HARMLESS

Vendor agrees to protect, indemnify and save harmless the City, its officers, officials, agents and employees from and against all claims, demands and causes of action, in favor of vendor and its agents and employees and third parties on account of personal injuries or death or on account of property damages arising out of Vendor's use of the Market premises and participation in the Market and resulting from the acts and/or omissions of Vendor. The provisions of this paragraph shall include indemnification of all losses, damages, awards and attorneys fees.

No insurance is provided by the City of Wilmington to participants in the Market.

I acknowledge that I have been provided with a copy of the "Historic Downtown Wilmington Marketplace rules" and that I will abide by these rules. I also understand my membership will be terminated for violation of these rules.

(Print name, entity and your title)

By _____

SIGNATURE

DATE

City of Wilmington
HISTORIC DOWNTOWN WILMINGTON MARKETPLACE RULES

IMPORTANT: Please read and sign the Marketplace Vendor Application. Return it, with your exhibit fee if paying in advance to: City of Wilmington, Historic Downtown Wilmington Marketplace, Kim Adams, Downtown Services, 305 Chestnut Street, Wilmington, NC 28402, or e mail to kim.adams@wilmingtonnc.gov (Your signature indicates that you have read, understand and agree to abide by these rules.)

The Historic Downtown Wilmington Marketplace is sponsored and governed by the City of Wilmington. The Market was established to provide a central location for local artisans and crafters to sell their products directly to consumers, to encourage, support and promote local artisans and crafters, and to enhance the quality of life in the City of Wilmington by providing a community activity that fosters social gathering and interaction. The following rules were established to ensure the smooth operation and success of the Marketplace:

PERMITTED MARKET ITEMS

Arts, crafts and handmade products of excellent workmanship may be sold. No peddlers, no wholesale, and no resale products are allowed. The City will resolve any question as to unpermitted products. The City reserves the right to conduct an inspection of any Market vendor at any time to verify product origin. No other commercial activities shall be permitted within the Marketplace area. Displays of public interest, such as nutritional, health or consumer information may be displayed with the permission of the City and Market Committee. The Market does not offer exclusive rights to any one vendor to sell any one product as Market customers generally benefit from having a choice.

VENDOR EQUIPMENT AND SUPPLIES

Each vendor is responsible for providing and removing any and all equipment and supplies he or she requires in order to conduct business on the Market premises. This includes signs, tables, chairs, products and equipment utilized for clean-up purposes.

HOURS AND DAYS OF OPERATION

The Market will run from Sunday, April 17th through Sunday, December 18th. Market days are starting on Sundays from 2 -6 p.m. April through May and from 4 p.m. to 8 p.m. June through August. September through December Market times will be 2 – 6 p.m. No sales will be permitted during set-up times or past listed closing time. All vendors must remain at the Market premises until closing, and must vacate the Market one hour after closing (season hours are subject to change by the City of Wilmington).

SIGNS

All signs must remain within the vendor's allotted exhibit space and must not block traffic or pedestrian ingress or egress, or interfere with other vendor's display or views. Maximum sign size is 12 square feet.

EXHIBIT SPACE

The City of Wilmington has full authority to assign exhibit space. Those vendors committing to the Market each week during the season will be assigned the same space each week. Every effort will be made to space vendors of like products in a way to best allow them to sell, based upon practices of other markets. Requests for a particular space will be given consideration but the City reserves the right to assign and locate all vendors. Exhibit space will be assigned by 3 pm on the Friday preceding Market day for all vendors whose fees are paid.

SET-UP, CLEAN-UP AND BREAKDOWN

Set-up starts at 1 p.m. and must be completed by 2 p.m. on Market days. Vendors are responsible for removing and hauling garbage from their Market Space area. Spaces are to be left in the same condition upon vendor arrival each Market day. Breakdown starts at closing and must be completed, and spaces vacated within one hour of closing. On-site trash receptacles are for customers only.

WEATHER

The Market will operate based upon favorable weather conditions. The City of Wilmington determines if the weather conditions are operable. **An e mail will be sent two hours prior to set up time IF the City determines that the weather will not be favorable at the time of Market.**

ATTENDANCE

Vendors must give notice to Volunteer Coordinator (Marge Ulcickas) 910-270-7759 or Kim Adams (910) 254-0907 by 2 p.m. Thursday preceding the Market day if they will be unable to attend. This will allow time to fill your reserved space. Every effort will be made to fill your space. In the event a vendor's space is not filled, said vendor will be charged for the space for that Market day. Not giving notice will be considered a violation of Market rules. A full market is a successful market. The Market allows for "acts of God/nature" (equipment failure, car problems, medical emergencies, etc.) Notify Marge as soon as possible in these circumstances. Any vendor not on premises by the start time of the Market will not be allowed to set up. Vendors are required to remain on the premises for the entire duration of the Market day.

VEHICLES AND PRODUCT DISPLAY

Vehicles shall not be utilized as a display or dispensing area for Market products unless approved by the City and located in approved parking areas. No vehicle may remain running during Market hours other than for purposes of refrigeration of product. All products sold must have either individual pricing or display signs indicating price and description of product. A master price list can be substituted for individual product pricing. The use of tents is required, and they must be secured in a safe manner. All products must be sold, displayed and stored from a surface above the ground. All vendors must utilize tables, shelves, cases or other structures for these purposes.

MISCELLANEOUS

Vendors are responsible for collecting and remitting their own sales tax. Vendors are responsible for all permits required by the State of North Carolina and New Hanover County to sell their products. Vendors must comply with all laws, ordinances and regulations of the United States, State of North Carolina, New Hanover County and City of Wilmington. All rules are subject to being revised periodically by the City. No live animals may be sold or given away at the Market.

ENFORCEMENT OF RULES

The City of Wilmington along with the appointed Marketplace Committee is responsible for enforcing the Market rules. Any complaints and violations will be discussed and resolution made by the City. Vendors selling items that are not permitted will be asked to remove those items from sale or leave the Market premises. Continued violations will result in the vendor being banned from the Market with no reimbursement of fees paid. Any vendor challenging another vendor's product legitimacy or conduct must file a written complaint with the City, giving the name of the vendor and the description of the product or situation they believe is not in compliance with Market rules. The complainant must date and sign the complaint and the City will then resolve the issue. All resolutions by the City are final.